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MAY 27 1997

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

Federal Communications Commission
Office of Secretary

In the Matter of)	
1993 Annual Access Tariff Filings)	CC Docket No. 93-193,
)	Phase I, Part 2
)	
GSF Order Compliance Filings)	
)	
In the Matter of)	
1994 Annual Access Tariff Filings)	CC Docket No. 94-65
)	
In the Matter of)	
1995 Annual Access Tariff Filings)	
)	
In the Matter of)	
1996 Annual Access Tariff Filings)	

REPLY COMMENTS OF U S WEST COMMUNICATIONS, INC.

U S WEST Communications, Inc. ("U S WEST") hereby replies to the Comments submitted by AT&T Corp. ("AT&T") on U S WEST's Amended 1997 Tariff Review Plan, submitted in response to the Memorandum Opinion and Order in this proceeding.¹ In its comments,² AT&T complains that U S WEST reduced its refund liability to reflect the amounts it has already refunded by way of its sharing obligation in 1993 and 1996. This, says AT&T, violates the prescribed procedure

¹ In the Matter of 1993 Annual Access Tariff Filings; GSF Order Compliance Filings; In the Matter of 1994 Annual Access Tariff Filings; In the Matter of 1995 Annual Access Tariff Filings; In the Matter of 1996 Annual Access Tariff Filings, CC Docket No. 93-193, Phase I, Part 2, CC Docket No. 94-65, Memorandum Opinion and Order, FCC 97-139, rel. Apr. 17, 1997 ("MO&O"). U S WEST filed its Amended 1997 Tariff Review Plan on May 8, 1997.

² Comments of AT&T filed May 19, 1997.

“which does not allow the [local exchange carriers] LECs to make any adjustments in their refund liability for their past sharing obligations.”³ AT&T is wrong. The MO&O does not address the effect of past sharing obligations.

The Federal Communications Commission (“Commission”) ordered refunds in this instance as a “remedial action.”⁴ It thus hoped to put the parties in the same position they would have occupied had U S WEST calculated its rates as the Commission has now determined it should have. If U S WEST had done that, however, its earnings for the years in question would have been reduced, thus reducing the amount of its sharing obligation. Thus, by any meaningful measure, U S WEST has already refunded that portion of its refund liability.

Nothing in the procedures prescribed for these refunds purports to address amounts already refunded through the sharing mechanism. To ignore this aspect of the calculation would effectively require U S WEST to refund these amounts twice. Nothing in the MO&O requires such an unreasonable and unfair result.

³ Id. at 8.

⁴ MO&O ¶ 93.

For the reasons stated, the Commission should approve U S WEST's filing in this matter as submitted.

Respectfully submitted,

U S WEST COMMUNICATIONS, INC.

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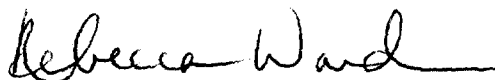
Its Attorney

Of Counsel,
Dan L. Poole

May 27, 1997

CERTIFICATE OF SERVICE

I, Rebecca Ward, do hereby certify that on this 27th day of May, 1997, I have caused a copy of the foregoing **REPLY COMMENTS OF U S WEST COMMUNICATIONS, INC.** to be served via first-class U.S. Mail, postage-prepaid, upon the persons listed on the attached service list.

A handwritten signature in cursive script that reads "Rebecca Ward". The signature is written in dark ink and is positioned above a horizontal line.

Rebecca Ward

***Via Hand-Delivery**

(CC93193.COS/DK/lh)

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